

Exhibit 5

Nosek Declaration

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

Chapter 11
Case No. 12-12020 (MG)

RESIDENTIAL CAPITAL, LLC, et al.

(Jointly Administered)

Debtors.
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**DECLARATION OF ROBERT D. NOSEK IN SUPPORT OF THE DEBTORS'
OBJECTION TO PROOFS OF CLAIM FILED AGAINST
RESIDENTIAL CAPITAL, LLC BY (I) RUTH ASSORGI (CLAIM NO. 2580);
(II) JOHN R. FOSTER AND ELIZABETH FOSTER (CLAIM NO. 2581) AND
(III) MARK MOODY AND SHERRILL MOODY (CLAIM NO. 2583)**

Robert D. Nosek, pursuant to 28 U.S.C. § 1746, declares under penalty of perjury:

1. I am counsel to the firm SilvermanAcampora LLP ("**SilvermanAcampora**"), with offices located at 100 Jericho Quadrangle, Suite 300, Jericho, New York 11753. I am duly admitted to practice law before this Court and the courts of the State of New York. By this Court's Order entered November 30, 2012, SilvermanAcampora was retained as special counsel to the Official Committee of Unsecured Creditors of Residential Capital, LLC, et al. for borrower issues.

2. I submit this declaration (the "**Declaration**") in support of the *Debtors' Objection To Proofs Of Claim Filed Against Residential Capital, LLC By (I) Ruth Assorgi (Claim No. 2580); (II) John R. Foster And Elizabeth Foster (Claim No. 2581) And (III) Mark Moody And Sherrill Moody (Claim No. 2583) Pursuant To Section 502(b) Of The Bankruptcy Code And Bankruptcy Rule 3007* (the "**Objection**") and in compliance with this Court's Order entered March 21, 2013, pursuant to section 105(a) of Title 11, United States Code (the "Bankruptcy Code") and Rules 1009, 3007 and 9019(b) of the Federal Rules of Bankruptcy Procedure approving: (i) Claim Objection Procedures; (ii) Borrower Claim Procedures; (iii) Settlement

Procedures; and (iv) Schedule Amendment Procedures [Docket No. 3294] (the “**Claims Objection Procedures Order**”).

3. Unless otherwise stated in this Declaration, I have personal knowledge of the facts hereinafter set forth and, if called as a witness, I could and would testify competently thereto.

4. Pursuant to the Claims Objection Procedures Order, prior to filing the Objection, the Debtors provided SilvermanAcampora with copies of: Claim No. 2580 (the “**Assorgi Claim**”) filed by Ruth Assorgi (“**Assorgi**”); Claim No. 2581 (the “**Foster Claim**”) filed by John R. Foster and Elizabeth Foster (the “**Fosters**”); and Claim No. 2583 (the “**Moody Claim**” and, together with the Assorgi Claim and the Foster Claim, the “**Claims**”) filed by Mark Moody and Sherrill Moody (the “**Moody**s” and, together with Assorgi and the Fosters, “**Claimants**”), which the Debtors intended to include in the Objection.

5. I or my designee at my direction first reviewed the Claims to determine if such claims were actually filed without sufficient explanation or sufficient supporting documentation to determine the validity of such claims. Thereafter, I or my designee at my direction conferred with the Debtors and agreed that the Claimants should receive request letters, requesting additional explanation and documentation in support of their claims.

6. I or my designee at my direction also conferred with the Debtors in drafting the request letters. The Debtors advised SilvermanAcampora that they sent such request letters to the Claimants’ putative representative, with the Debtors providing copies of such letters to SilvermanAcampora.

7. SilvermanAcampora has reviewed the basis of the Claims and does not object to the Debtors’ determination and reasoning for filing the Objection.

8. To the best of my knowledge, prior to the filing of the Objection, both the Debtors and SilvermanAcampora have fully complied with all other relevant terms of the Claims Objections Procedures Order.

Dated: September 20, 2013
Jericho, New York

/s/ Robert D. Nosek
Robert D. Nosek